

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated May 22, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-22 are pending in the Application. By means of the present amendment, the claims are amended including for better conformance to U.S. practice, such as deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. By these amendments, the claims are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1, 2, 5-11, 13-15, 17 and 18 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,633,651 to Hirzalla ("Hirzalla") in view of U.S. Patent No. 5,436,653 to Ellis ("Ellis"). Claims 3, 4, 16, 19, 21 and 22 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over Hirzalla in view of Ellis in further view of U.S. Patent No. 7,103,222 to Peker ("Peker"). Claims 12 and 20 rejected under 35 U.S.C. §103(a) as allegedly being obvious over Hirzalla in view of Ellis in view Peker in further view of U.S. Patent No.

6,29,817 to Ahmad ("Ahmad"). It is respectfully submitted that claims 1-22 are allowable over Hirzalla in view of Ellis alone and in view of any combination of Peker and Ahmad for at least the following reasons.

Hirzalla shows an apparatus that computes digital signatures from individual selected frames identified in a video sequence (see, Col. 1, lines 48-50). The digital signatures of each of the selected frames from the video sequence "collectively form a signature file for the sequence ..." (See, Col. 1, lines 52-54.)

Similarly, Ellis shows a system that computes signatures based on individual video frames (see, Col. 12, lines 11-21).

It is respectfully submitted that the apparatus of claim 1 is not anticipated or made obvious by the teachings of Hirzalla in view of Ellis. For example, Hirzalla in view of Ellis does not disclose or suggest, an apparatus that amongst other patentable elements, comprises (illustrative emphasis added) "a scene defining processor that defines overlapping scene intervals in the video content, each of the overlapping scene intervals defining the scene; a signature processor that computes the scene signature over each of the overlapping scene intervals; a selector that selects a scene signature which is descriptive of video content of a scene a


user wants to view; a comparator that compares the selected scene signature with scene signatures of the stored video streams to identify one or more scenes whose scene signature is similar to the selected scene signature; and a player that plays the at least one scene whose scene signature is identified as similar to the selected scene signature " as recited in claim 1, and as similarly recited in claim 17. Each of Hirzalla and Ellis show computation of signatures from individual frames and utilize a group of signatures to identify a portion of the video sequence. Each of Peker and Ahmad are introduced for allegedly showing elements of the dependent claims and as such, do nothing to cure the deficiencies in Hirzalla in view of Ellis.

Based on the foregoing, the Applicants respectfully submit that independent claims 1 and 17 are patentable over Hirzalla in view of Ellis and notice to this effect is earnestly solicited. Claims 2-16 and 18-22 respectively depend from one of claims 1 and 17 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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